

## **Minutes of the Grinnell City Council Meeting Monday, August 2, 2004**

The City Council of the City of Grinnell met in regular session in the Council Chambers of the Grinnell Community Center, 927 4<sup>th</sup> Avenue, Grinnell, Iowa, at 7:00 p.m., Monday, August 2, 2004. Mayor Canfield presided.

Roll Call:               PRESENT: Elliott, McNaul, Witt, White, Worley.               ABSENT: Wilson.

### **PERFECTING AND APPROVAL OF AGENDA:**

Moved by WHITE, second by MCNAUL, to approve the Agenda and the Consent Agenda as printed. Roll Call Vote: Ayes: White, McNaul, Witt, Worley, Elliott. Motion carried.

### **CONSENT AGENDA:**

- o Previous minutes as drafted from the Monday, July 19, 2004 Regular Session.

### **PUBLIC HEARING:**

- I. Mayor Canfield opened the public hearing for the purpose of reviewing plans, specifications, and proposed form of contract for improvements and work incidental thereto for the south Highway 146 Water Main Construction Project in the City of Grinnell, Iowa at 7:02 pm. Hage noted that no comments or objections had been received prior to the hearing. Mayor Canfield requested comments and objections from the citizens present. Brent Renaud explained that his parents own property along south side of Highway 146 and he questioned how the project would affect their property. Elliott briefly reviewed the project consisting of extending water main from the Days Inn under Highway 146 to Lang Creek Crossing.

Moved by MCNAUL, second by WHITE, to close the public hearing. Roll Call Vote: Ayes: McNaul, White, Elliott, Witt, Worley. Motion carried.

Elliott continued by explaining the committee felt the project should include the installation of 16" pipe as bid in the alternate documents which will increase the cost of the project by approximately \$20,000.00. Elliott explained the largest user of the new water main will be Lang Creek Crossing. The construction of the project will not proceed until the development agreement and annexation issues have been resolved, however this does not preclude the city from approving the plans and specifications. This project will not be awarded to any bidder at this time; however the City Manager will confirm how long the bids will be valid for. Elliott discussed the eventual construction of the above ground water storage facility on the west side of the highway which will create the pressures needed for water flow (fire protection) on the south end of town.

Moved by ELLIOTT, second by WITT to approve and adopt Resolution No. 2690: "A RESOLUTION ADOPTING PLANS, SPECIFICATIONS, ESTIMATE OF COST AND FORM OF CONTRACT (South Highway 146 Water Main Project.)" Roll Call Vote: Ayes: Elliott, Witt, Worley, McNaul, White. Motion carried.

- II. Mayor Canfield opened the public hearing for the purpose of reviewing plans, specifications, and proposed form of contract for improvements and work incidental thereto for the Arbor Lake Stormwater Separation Project in the City of Grinnell, Iowa at 7:09 pm. Hage noted that no comments or objections had been received prior to the hearing. Mayor Canfield requested comments and objections from the citizens present. There were none.

Moved by ELLIOTT, second by MCNAUL, to close the Public Hearing. Roll Call Vote: Ayes: Elliott, McNaul, White, Worley, Witt. Motion carried.

Elliott informed the Council that all work must be completed for the project by September 30, 2004. This project will reduce solids out of storm water that discharges in to Arbor Lake. The city will occasionally clean the separators out with the jet-vac truck. VanHuen & Associates was the low bid at \$52,000.00. The remainder of the project budget will cover additional engineering cost. The second project, which will cost less than the \$25,000.00 required bidding threshold, will be for the development of a wet land structure on the west side of Arbor Lake. The intent of the wet land is to slow the flow of the water.

Moved by ELLIOTT, second by WITT, to approve and adopt Resolution No. 2691: "A RESOLUTION ADOPTING PLANS, SPECIFICATIONS, ESTIMATE OF COST AND FORM OF CONTRACT (North Arbor Lake Stormwater Separation Project.)" Roll Call Vote: Ayes: Elliott, Witt, White, Worley, McNaul. Motion carried.

Moved by ELLIOTT, second by WORLEY, to approve and adopt Resolution No. 2692: "A RESOLUTION MAKING AWARD OF CONSTRUCTION CONTRACT - NORTH ARBOR LAKE STORMWATER SEPARATION PROJECT." Roll Call Vote: Ayes: Elliott, Worley, McNaul, Witt, White. Motion carried.

- III. Mayor Canfield opened the public hearing for the purpose of reviewing plans, specifications, and proposed form of contract for improvements and work incidental thereto for the Final Clarifier Trough Replacement in the City of Grinnell, Iowa at 7:13 pm. Hage noted that no comments or objections had been received prior to the hearing. Mayor Canfield requested comments and objections from the citizens present. There were none.

Moved by ELLIOTT, second by MCNAUL, to close the Public Hearing. Roll Call Vote: Ayes: Elliott, McNaul, White, Worley, Witt. Motion carried.

Elliott described this project as high level routine maintenance that had actually been budgeted for in the previous fiscal year. The rise in steel prices has driven the bid prices up. This addition cost will be covered by the sewer fund.

Moved by ELLIOTT, second by WITT, to approve and adopt Resolution No. 2693: "A RESOLUTION ADOPTING PLANS, SPECIFICATIONS, ESTIMATE OF COST AND FORM OF CONTRACT (Final Clarifier Trough Replacement Project.)" Roll Call Vote: Ayes: Elliott, Witt, McNaul, White, Worley. Motion carried.

Moved by ELLIOTT, second by WITT, to approve and adopt Resolution No. 2694: "A RESOLUTION MAKING AWARD OF CONSTRUCTION CONTRACT -FINAL CLARIFIER TROUGH REPLACEMENT PROJECT." Roll Call Vote: Ayes: Elliott, Witt, Worley, White, McNaul. Motion carried.

- IV. Mayor Canfield opened the public hearing for the purpose of reviewing plans, specifications, and proposed form of contract for improvements and work incidental thereto for the replacement of the Farmhand Lift Station in the City of Grinnell, Iowa at 7:16 pm. Hage noted that no comments or objections had been received prior to the hearing. Mayor Canfield requested comments and objections from the citizens present. Brent Renaud discussed that the location of the lift station is in the water shed of their livestock pasture. He was concerned over past repairs which caused a sewer spill. He wanted to insure that the problem does not happen again. Behrens said that every effort will be made to prevent that from happening.

Moved by ELLIOTT, second by WHITE, to close the public hearing. Roll Call Vote: Ayes: Elliott, White, McNaul, Worley, Witt. Motion carried.

Elliott commented that this project is again part of long range maintenance and represents old equipment in need of replacement, a need for the city to increase capacity, a requirement that back up power be provided at the station. Alternate bids, the resizing the station and providing the alternative power source increased the cost of the project. The lowest bid price received was \$184,850.00. White suggested charging a connection fee to the lift station if any new development should take place. Elliott noted that the city has not traditionally caused connection fees for what amounts to routine maintenance. She agreed that new users should be considered for a connection fee.

Moved by ELLIOTT, second by WHITE, to approve and adopt Resolution No. 2695: "A RESOLUTION ADOPTING PLANS, SPECIFICATIONS, ESTIMATE OF COST AND FORM OF CONTRACT (Farmhand Lift Station Improvements.)" Roll Call Vote: Ayes: Elliott, White, McNaul, Worley, Witt. Motion carried.

Moved by ELLIOTT, second by MCNAUL to approve and adopt Resolution No. 2696: "A RESOLUTION MAKING AWARD OF CONSTRUCTION CONTRACT - FARMHAND LIFT STATION IMPROVEMENTS." Roll Call Vote: Ayes: Elliott, McNaul, White, Witt, Worley. Motion carried.

#### APPROVAL OF CLAIMS:

Moved by WHITE, second by ELLIOTT, to pay all bills where funds are available. Roll Call: Ayes: White, Elliott, Worley, Witt, McNaul. Motion carried.

#### COMMUNICATIONS:

- I. Grinnell Optimist Club – 2004 National Night Out (Tuesday, August 3, 2004 from 6:30 pm – 8:30 pm.) Matherly asked citizens to come out and assist the Police Department is making a stand against crime. He requested if citizens could not attend the event to turn, they can simply turn on their porch light.
- II. Thank you received from Maria and Kent Dutton.

#### OLD BUSINESS:

- I. Report from the Finance Committee.
  - o Recommendation in regard to the Mayor's proposed appointments to the I-80 Development Corporation.

Moved by WHITE, second by WITT, to approve the appointments to the I-80 Development Corporation which include: Tom Laitmer, Todd Linden, Gordon Canfield, Lynn Mawe and Jim Ramsey. Roll Call Vote: Ayes: White, Witt, McNaul, Elliott, Worley. Motion carried.

Elliott questioned if the City Council will see regular minutes from the new organization. White confirmed that minutes will be provided. She further stated that due to the city providing funding which will be approximately half of the organization's budget that she hopes the city will receive progress reports on the collections being made outside of the city's contribution. Witt questioned the size of the board.

- Recommendation in regard to the EDSA request for the Engineered Plastic Components Project.

Moved by WHITE, second by ELLIOTT, to approve and adopt Resolution No. 2697: "A RESOLUTION TO SET A STATUS OF FUNDS PUBLIC HEARING FOR THE ENGINEERED PLASTICS COMPONENTS ECONOMIC DEVELOPMENT SET ASIDE (EDSA) PROJECT." Roll Call Vote: White, Elliott, McNaul, Worley, Witt. Motion carried.

- Recommendation in regard to the EDSA request for the ASI/Modulex Project.

Moved by WHITE, second by ELLIOTT, to approve and adopt Resolution No. 2698: "A RESOLUTION TO SET A STATUS OF FUNDS PUBLIC HEARING FOR THE ASI/MODULEX ECONOMIC DEVELOPMENT SET ASIDE (EDSA) PROJECT."

Roll Call Vote: Ayes: White, Elliott, Worley, Witt, McNaul. Motion carried.

- Discussion in regard to the Capital Improvement Plan.

White detailed the work completed by Behrens and city staff in regard to upcoming capital improvement projects and the development of a Capital Improvement Plan. The finance committee will review the initial plans and then distribute them to the appropriate committee for continued review.

- Recommendation in regard to the requests for assistance from the Campbell Fund.

The requests were approved as presented.

- Recommendation in regard to the City manager's evaluation and contract.

White reviewed the evaluation completed by the evaluation committee.

Moved by WHITE, second by ELLIOTT, to approve the contract for the City Manager as proposed. Roll Call Vote: Ayes: White, Elliott, Witt, McNaul, Worley. Motion carried.

## II. Report from the Planning Committee.

- Central Business District Update from the mayor's Central Business District Task Force.

Worley informed the Council that the Task Force has progressed to working on design concepts. The Task Force will be focused on the four blocks that comprise of the downtown square, with the intent of construction in those blocks being completed as quickly as possible. Initial drawings have been presented and are available for public review at City Hall. The proposed schedule currently has the bid letting planned for May, 2005. Further phasing is still being determined. Elliott questioned the elimination of the steps on Broad Street. Worley touched on possible options, however bike issues need to be addressed prior to answering that question. Canfield stated that the Task Force remains in agreement with the downtown business owners and the community remains very positive toward the project. Behrens noted that the Chamber is working on a slogan and that the ideal bid letting date would be in April of 2005 reconstructing all four blocks during the 2005 construction season. Main Street would be the final phase in the event construction was not able to be completed during that time frame. Elliott commented that most of the funding will be bonded indebtedness by the city. Behrens said the draft cost estimate is still being developed. He said the main option would be to issue General Obligation debt to be repaid with TIF financing. This option would not require a public vote.

- Recommendation in regard to the sign ordinance.

Worley reviewed the amendments to the ordinance pertaining strictly to the Strand Theater. The amendment will allow the sign to project from the building and would permit the use of neon. The amendment has been submitted to and approved by the Planning and Zoning Commission.

Moved by WORLEY, second by MCNAUL to introduce and read ORDINANCE NO. 1236: "AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF GRINNELL, IOWA BY ADDING PROVISIONS PERTAINING TO CHAPTER 4, SECTION 4-45(1) (Signs in the C-2 central business district.)"

Elliott called for discussion and commented that she had not reviewed the ordinance. She stated that she would vote for the first reading, however may change her mind pending review of the ordinance. Further, she questioned why the ordinance is proposed as an amendment for one type of business only. She was concerned that there would be a potential problem in what might seem to be discrimination against other business. Worley explained that very clearly the ordinance does provide specific permission to a specific type of business; however that was how the code was crafted to begin with. Due to the number of past variances that were granted, the city removed the ability to grant variances with the exception of changing the ordinance. He felt that theaters have a distinct type of signage across America creating the grounds of aesthetic and historic uses. Behrens had noted the city attorney had reviewed the ordinance and had not voiced any objections. White was concerned over past stances taken by the City Council in regard to the sign ordinance and adhering to the current city code. He felt this ordinance would be setting a precedent. McNaul commented the great length of discussion in regard to the use of neon and that it will not be placed on the protruding sign. She felt that the marquee clearly re-creates the time period in which the business owners have worked to establish in the downtown business district. McNaul stated that each request will have to be considered independently. Worley explained that the intent of the ordinance is not to end up in a situation where it is constantly being amended. He stated the only reason this item was considered is because the committee felt that movie theater business, in a community of this size, should be readily identifiable, especially with the intended streetscape. He further commented that he has not received any opposition to the construction of the new sign.

Roll Call Vote: Worley, McNaul, White, Elliott, Witt. Motion carried.

- III. Report from Public Works & Grounds Committee.
  - o Review of the Ordinance pertaining to the planning of trees in the right of way.

This item was referred to Planning Committee for review.

- o Recommendation in regard to the Hazelwood Cemetery updated pricing schedule.

This item will be acted on at the next regular meeting.

- o Recommendation in regard to the agreement proposed by Foth and Van Dyke in regard to the compost site development.

Moved by ELLIOTT, second by WITT, to approve the agreement proposed by Foth and Van Dyke in regard to the compost site development. Roll Call Vote: Elliott, Witt, White, McNaul, Worley. Motion carried.

- o Recommendation in regard the contract proposed by the Iowa Department of Transportation in regard to the STP funds to be used in the Central Business District.

Moved by ELLIOTT, second by WHITE, to approve the contract proposed by the Iowa Department of Transportation in regard to the STP funds to be used in the Central Business District. Roll Call Vote: Ayes: Elliott, White, McNaul, Worley, Witt. Motion carried.

- o Update in regard to the airport projects: security fence, tower, 8 stall t-hanger.

Elliott updated the council on the progress of the projects at the airport. The security fence will increase safety of the planes during takeoff and landing by keeping animals off the runway. Elliott reviewed grant funding available for the project and the proposed layout of the fence along the crop line. Variables of how tall to construct the fence, how long the fence will be and what material will be used still need to be determined. The committee proposes the city consider a bid proposal with alternate materials: chain link fencing and woven fencing. White questioned if the fence will be electrified. Elliott responded that no, the fence would not be electrified, but crop alternation is being researched.

Moved by ELLIOTT, second by WITT to proceed with preparation of plans and specifications to move toward and official bid letting. Worley questioned the effectiveness of the fence because the funding will not allow the city to encompass the runway. Elliott felt that the funding will provide enough deterrent to force the deer paths to change out of the way of the runway. She also felt that the funding was a good start to a project that will be ongoing. Behrens displayed on the aerial map the attempt to impact how the deer get from location to location. Behrens felt the city has to take some action to reduce liability. Roll Call Vote: Elliott, Witt, McNaul, White, Worley. Motion carried.

Elliott continued by explaining the ongoing project of the reduction of towers that protrude into the glide path. The reduction of the towers will allow jets to land at the airport. Elliott explained that the tower causing the greatest problem does not exist, it was only granted permission for construction by the FAA, but not by the city, so it was never built. The City Manager will work with the owners of the two other towers to hopefully reach resolve of the issue.

The t-hanger construction is still pending final funding commitments. The lease has been proposed and is receiving interest. The revenue generated by the lease will provide a funding stream for the project. More grant applications have been made to offset the construction cost.

- o Recommendation in regard to the request to plant a tree in Central Park in memory of Glenn Leggett.

This item was referred to the Planning Committee for review.

- o Recommendation in regard to the request from Linda Routier in regard to "Lights of Love."

This item was referred to the Planning Committee for review.

- o Recommendation in regard to the request by the Optimist Club in regard to the placement of flags.

Elliott reviewed the concept of the project and stated that the committee had a preliminary discussion to review the project. Discussion in regard to the project will continue at the next regular meeting. There was no action taken on this item.

- o Recommendation in regard to the request submitted by Dave Ditzler on behalf of Jewel Kintzinger in regard to filling in a ditch and improving a retaining wall.

Elliott detailed the two part request: to be able to tile and fill in the ditch and request for repair of the retaining wall. The committee wanted to ensure there would be a slight swale to allow for water runoff and that the project would be in compliance with city staff expectations at the property owner's cost.

Moved by ELLIOTT, second by WHITE, to approve the request for the placement of tile and filling in the ditch at the property owner's cost according to city specifications. Roll Call Vote: Ayes: Elliott, White, Witt, McNaul, Worley. Motion carried.

The second request in regard to the retaining wall will require further research by city staff. No action was taken on this item.

NEW BUSINESS: NONE.

SECOND READING OF THE ORDINANCE:

Moved by WHITE, second by MCNAUL to conduct the second reading of ORDINANCE NO. 1235: "AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF GRINNELL, IOWA, BY ADDING PROVISIONS PERTAINING TO VIOLATION OF TRAFFIC REGULATIONS." Roll Call Vote: Ayes: White, McNaul, Witt, Worley, Elliott. Motion carried.

APPROVAL AND ADOPTION OF THE RESOLUTIONS:

Moved by WORLEY, second by WHITE, to approve and adopt Resolution No. 2699: "A RESOLUTION TO APPROVE THE CITY OF GRINNELL COMMUNITY DEVELOPMENT BLOCK GRANT OWNER OCCUPIED HOUSING REHABILITATION CONTRACT FOR 715 2<sup>ND</sup> AVE." Roll Call Vote: Ayes: Worley, White, Witt, Elliott, McNaul. Motion carried.

This will be the final project for this grant. This funding completed the rehabilitation of 20 homes. The city intends to apply for more funding.

INQUIRIES:

Behrens noted that Assistant Recreation Director/Get-12 Coordinator Tracy Rosburg will not be resigning her position.

ADJOURN:

Moved by WHITE, second by ELLIOTT, to adjourn this regular session of the Grinnell City Council. Vote: (5) ayes, motion carried.

ATTEST:

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Gordon Canfield, Mayor

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Cassandra R. Hage, City Clerk